

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2010-238-E

September 20, 2010

IN RE: Application of South Carolina Electric & Gas)
 Company for a Certificate of Environmental) STIPULATION
 Compatibility and Public Convenience and)
 Necessity for the Construction and Operation)
 of a 230 kV Transmission Line from its)
 Denny Terrace Transmission Substation to its)
 Pineland Transmission Substation)

This Stipulation is made by and between the South Carolina Office of Regulatory Staff (“ORS”) and South Carolina Electric & Gas Company (“SCE&G”) (collectively referred to as the “Parties” or sometimes individually as a “Party”).

WHEREAS, the above-captioned proceeding has been established by the Public Service Commission of South Carolina (“Commission”) pursuant to the provisions in S.C. Code Ann. §58-33-10 *et. seq.* (1976 and Supp. 2009) (“the Siting Act”) at the request of SCE&G, and the Parties to this Stipulation are parties of record in the above-captioned docket;

WHEREAS, in accordance with the provisions of S.C. Code Ann. § 58-33-140 (1976, as amended) the South Carolina Department of Health and Environmental Control, the Department of Natural Resources, and the Department of Parks, Recreation, and Tourism are also parties to this proceeding (collectively, “the Other Parties of Record”). The Other Parties of Record have been contacted with regard to the stipulation; however, they have not taken a position on this matter;

WHEREAS, the Parties have varying legal positions regarding the issues in this case;

WHEREAS, the Parties have engaged in discussions to determine if a Stipulation would be in their best interest;

WHEREAS, following these discussions the Parties have each determined that their interests, and those of the public, would be best served by reaching an agreement on matters set forth in SCE&G's Application in the above-captioned case under the terms and conditions set forth below:

1. The Parties agree to stipulate into the record before the Commission the direct testimony of the following witnesses without objection, change, amendment or cross-examination with the exception of changes comparable to that which would be presented via an errata sheet or through a witness noting a correction.

- A. SCE&G witnesses: Hubert C. Young, III and Dwight M. Hollifield
- B. ORS witness: A. Randy Watts.

2. As a compromise, the following is adopted, accepted, and acknowledged as the agreement of the Parties:

- A. ORS will not oppose SCE&G's Application for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of a 230 kV Transmission Line from its Denny Terrace Transmission Substation to its Pineland Transmission Substation;
- B. SCE&G agrees to notify ORS and the Commission once all necessary rights-of-way of the affected landowners are secured and provide proof that such rights have been obtained;
- C. SCE&G agrees to follow all South Carolina, Commission and local government regulations and laws arising from matters set forth in the Application; and
- D. SCE&G will notify ORS and the Commission when construction is begun on the facility as well as when the facility begins commercial operation and of any changes to the planned commercial operation date.

3. The Parties agree this Stipulation is reasonable, in the public interest and in accordance with law and regulatory policy.

4. Further, ORS is charged with the duty to represent the public interest of South Carolina pursuant to S.C. Code §58-4-10(B) (Supp. 2009). S.C. Code §58-4-10(B)(1) through (3) reads in part as follows:

“...‘public interest’ means a balancing of the following:

- (1) Concerns of the using and consuming public with respect to public utility services, regardless of the class of customer;
- (2) Economic development and job attraction and retention in South Carolina; and
- (3) Preservation of the financial integrity of the State’s public utilities and continued investment in and maintenance of utility facilities so as to provide reliable and high quality utility services.”

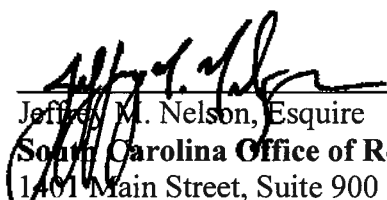
5. The Parties agree to cooperate in good faith with one another in recommending to the Commission that this Stipulation be accepted and approved by the Commission as a fair, reasonable and full resolution in the above-captioned proceeding. The Parties agree to use reasonable efforts to defend and support any Commission order issued approving this Stipulation and the terms and conditions contained herein.

6. This written Stipulation contains the complete agreement of the Parties. There are no other terms and conditions to which the Parties have agreed. The Parties agree that this Stipulation will not constrain, inhibit or impair their arguments or positions held in future proceedings, nor will the Stipulation or any of the matters agreed to in it be used as evidence or precedent in any future proceeding. If the Commission should decline to approve the Stipulation in its entirety, then any Party desiring to do so may withdraw from the Stipulation without penalty.

7. This Stipulation shall be interpreted according to South Carolina law. The above terms and conditions fully represent the agreement of the Parties hereto. Therefore, each Party acknowledges its consent and agreement to this Stipulation by authorizing its counsel to affix his or her signature to this document where indicated below. Counsel's signature represents his or her representation that his or her client has authorized the execution of the agreement. Facsimile signatures and e-mail signatures shall be as effective as original signatures to bind any party. This document may be signed in counterparts, with the various signature pages combined with the body of the document constituting an original and provable copy of this Stipulation.

WE AGREE:

Representing and binding the South Carolina Office of Regulatory Staff



Jeffrey M. Nelson, Esquire
South Carolina Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, SC 29201
Phone: (803) 737-0823
Fax: (803) 737-0895
Email: jnelson@regstaff.sc.gov

WE AGREE:

Representing and binding South Carolina Electric & Gas Company



K. Chad Burgess, Esquire

Matthew W. Gissendanner, Esquire

South Carolina Electric & Gas Company

220 Operation Way MC C222

Cayce, South Carolina 29033

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BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2010-238-E

IN RE:	Application of South Carolina Electric & Gas Company for a Certificate of Environmental Compatibility and Public Convenience and Necessity for the Construction and Operation of a 230 kV Transmission Line from Its Denny Terrace Transmission Substation to Its Pineland Transmission Substation)))))))	CERTIFICATE OF SERVICE
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This is to certify that I, Pamela J. McMullan, have this date served one (1) copy of the **STIPULATION** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

K Chad Burgess, Esquire
Matthew W. Gissendanner, Esquire
South Carolina Electric & Gas Company/SCANA Corporation
220 Operation Way - MC C222
Cayce, SC, 29033-3701

Chad Prosser, Director
South Carolina Department of Parks, Recreation and Tourism
1205 Pendleton Street, Suite 248
Columbia, SC, 29201

John E. Frampton, Director
South Carolina Department of Natural Resources
Post Office Box 167
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Carlisle Roberts, Esquire
South Carolina Department of Health and Environmental Control
Legal Department
2600 Bull Street
Columbia, SC, 29201



Pamela J. McMullan

September 20, 2010
Columbia, South Carolina